HOME (1941) Department

(12)

MS ~~R~~ SERIES.

G.O. No. 2728

Dated 10.6.41

[Despatch Abstract.]

Arms Act – S. Kanara – Gun licence.

B. Takri Beary – Cancellation

Petition – Rejected

4748B

B3 27/3

Gym Reiner
Chief Scott
Home no
B 28/3 28/3/41

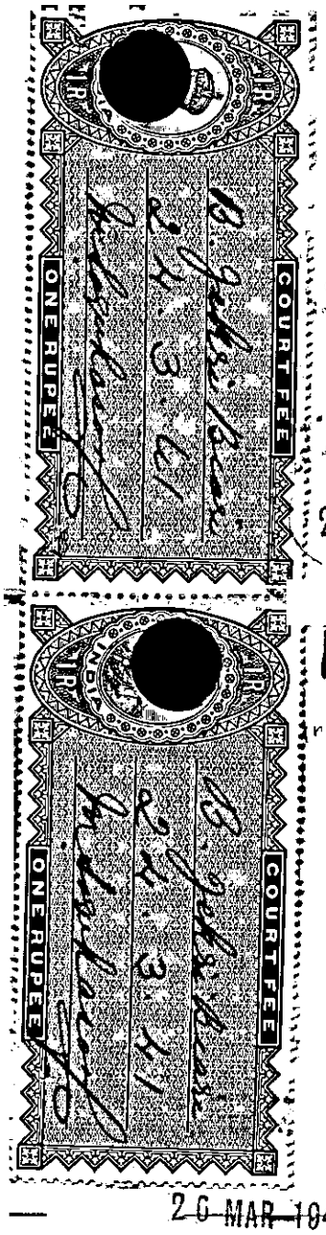
ASSTT. TO GOVT. 27 MAR. 1941 HOME DEPARTMENT

To

His Excellency,

The Governor of Madras,

M a d r a s.



26 MAR 1941

Humble memorial of B. Jakri Beary,
Land-holder and Coffee Planter,
Bajpe P.O., Mangalore Taluk,
South Kanara District.

Dated: 21st March 1941.

Most humbly sheweth,

26 MAR 1941

That being highly aggrieved by the enclosed order Ref: 146 - Confidential 40,- dated 25th February 1941 of the District Magistrate of South Kanara, rejecting the petition to restore the Gun Licence, Man. 26/8, XVI, memorialist most - respectfully begs to submit this memorial with sanguine hopes that his grievances will meet with redress.

2. That on a previous occasion when his licence was withdrawn in 1935, the then District Magistrate, on the representations made by the memorialist, was pleased to restore the same.

3. That presumably the order of the District Magistrate is the outcome of the malicious report of the Police and memorialist has not been given an opportunity to rebut the same.

4. That memorialist has not con-

travened any conditions of the licence and has not - been convicted.

5. That memorialist is a loyal subject of the British Government and bears an unblemished character and is a member of the Bajape - Panchayat Court.

6. That memorialist owns patta lands in Bajape Village assessed at Rs.45/- and odd, besides mulgeni lands paying an annual rental of Rs. 23-4-0 as also chalgeni lands of General Accountant, Sri P. Mohan Rao, paying an annual rental of Rs.250/-.

7. That memorialist also owns patta lands in the Villages of Kenjar, Baikampady - and Kulai, assessed at Rs.70/-, Rs.230/- and Rs.215/- respectively and also patta lands in (Bala) Thokur Village assessed at Rs. 250/- and mulgeni lands paying an annual rental of Rs.200/-. The total assessment to be paid by the meorialist is Rs.810/-, besides other rents.

8. That memorialist also owns - Coffee Plantations in Girvathkhan Estate, Chickmagalur Taluk, Kadur District, Mysore Province and is also a Government General Contractor in that Province, where he also pays a Village Tax of Rs.35/- per annum, besides large assessment and also holds a licence for a S.B.B.L.gun and a S.B.M.L.gun for the District of Kadur.

9. That memorialist must carry -

large sums of cash to several Villages for canvassing labourers for his Coffee Estate and also possesses in his pocket amounts of rents collected from his tenants in the above-said Villages.

10. That several of his patta lands being close to thick woods infested by wild animals - which damage paddy and other crops as well as the --- valuable usufruct of garden trees and also to protect cattle against attack by panthers as well as for self-protection, memorialist stands in the utmost need of a gun.

11. That memorialist is also strong enough as to handle his gun safely.

12. The memorialist therefore most humbly prays that on a favourable consideration of the above facts and after calling for a report from the - Tahsildar Magistrate of Mangalore Taluk, on personal - enquiry through the District Magistrate, Your Excellency's Benign Government may be graciously pleased to order the restoration of his licence.

For which act of justice and - kindness, memorialist shall, as in duty bound, ever pray and remain ever grateful.

ಇ. ಪೈ [illegible]

Memorialist.

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Ref.146-Confdl.40.

Proceedings of the District Magistrate of South Kanara dated the 20th February 19 1.

M. V. Subrahmanyar, Esq., I.C.S.

Arms Act - New licence - Mangalore VII 26/8 - Restoration - rejected.

Read: (1) Petition, dated 4.1.1941 of Jakri Beary, Planter and Landlord, Bajle, Mangalore.

(2) Report, M.Dis.669/40 of the Tahsildar Magistrate, Mangalore.

The petition is rejected.

(By Order)

Bhandarkar
Huzur Sheristedar

Bdh 25.2.41 25/2/4

To the petitioner.

Copy to the Tahsildar Magistrate, Mangalore.

Home Deptt

(CR. 97/48B) Memo. No. 97/48B-1

3/4

1H
3/4

Arms Act - South Kanara dist -
Gun licences Restoration -
Ref. Petition from B. Jakri
Beary, Bappe, Dt 21.3.1941.

The petitioner, B. Jakri Beary, is requested to submit the original order of the D.M. cancelling the licence granted to him or an authenticated copy of it.

AE
28/3

1/4

KD
1/4.

Dpd. by [illegible]
Dpr.'s ini[illegible] 3/4
[illegible] 1/3

To B. Jakri Beary,
Landholder and Coffee Planter
Bappe P.O.,
Mangalore taluk

Note. The Govt order at 4 CO relates to the petitioner's request to restore his licence after the D.M. has cancelled it.

KD
1/4

1/4

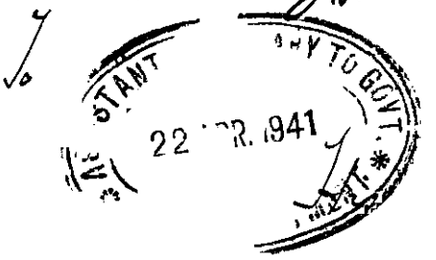
Chief Secrt

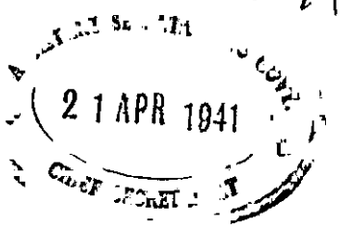
Home MW

1234/B
2/4/41

b

HD 2/4





Excellency

The Governor of Madras.

p.5 ante In obedience to the Memorandum No 9748 B1 dated 2nd April 1941, Home Department, B. Jatri Beary, begs to Submit herewith

p.7 infra Memo Ref 12290-40 of the Tahsildar Magistrate of Mangalore Taluk for kind perusal.

Dated 19.4.41

Rei. 12290 -40

Sri U.Kumaraja B.A.
Tahsildar of Mangalore.

M E M O .

Arms Act -Gun licences - Renewal for 1941 - cancellation of certain licences - Necessary action - Requested.

Ref. Dt.Mage's Ref. C.No. 146/40 dated 19th November 1940.

In his order cited above the District Magistrate, South Kanara has cancelled the gun licences noted in the margin in the ~~inte~~ interest of public safety. The licensees concerned are hereby directed to deposit their guns either with a licensed dealer or in a nearest police station at once. The Station House Officers concerned should see that the licences are recovered and submitted to the District Magistrate for cancellation.

Sd.

for Tahr. Magte.

(13) Man 26/8 XVI. Jakri Beary of ~~Majre~~ Bajpe. Mangalore taluk through S.H.O.Mulki.

9

CM 97488

Home Dept -

Memo. 97488-2 dt 6.5.14

Arms Act - Smt. Kamara Gun licence - Restoration - Rep. petition from B. Jain & Beary dt 21.3.14.

Referred to the D.M. Smt. Kamara for remarks.

(Office note upto 12 in pgs)

To the D.M., Smt. Kamara

(with CF-1 pgs 1-3 CF) through Note sheet with reply)

pd by with 1-3 CF

16293 A/41 10

M.L.Dis.1532/41. S. Kanara Dt. Magistrate's Office,

31 MAY.1941 Mangalore, 24th May 1941.

From

M. V. Subrahmanyan, Esq., I.C.S.,

District Magistrate of South Kanara.

To

The Secretary to Government,

Home Department,

Madras.

Sir,

Arms Act - Gun licence No.Man.26/8 XVI - Restoration Petition from B. Jakri Beary - Remarks - submitted.

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p9 ante Ref: Government Memo.No.9748-B2-Home, dated 6.5.1941.

The petitioner, B. Jakri Beari, held licence No.Man. 26/8 XVI which was valid up to 31.12.1941. The police having reported that he was concerned in a criminal case and that he is a rowdy and a dangerous man the licence was cancelled.

2. On 4.1.1941 the petitioner applied for the restoration of the cancelled licence saying that the police were not on good terms with him. The Tahsildar, who was asked to report on that application stated that the applicant has not got a good reputation either in the village or in the neighbouring villages where he possesses properties and that the police report was fairly correct. The application of the petitioner was, therefore, rejected.

p.4 ante

3. It is seen from the register maintained in this office that the licence held by the petitioner was once refused renewal in the year 1935 and was subsequently restored. The connected papers have been destroyed.

cf. para 2, p1 ante

4. The enclosure received with the Government Memo. cited above are enclosed.

Mr 1-3 ante

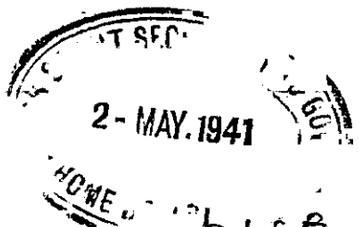
For District Magistrate.

27.5.41

(Cr. 9748B) Home Deptt

O-Nad

Arms Act – South Kanara district – Gun licence – Restoration.



p.1 C.F. From B. Takru Bearey petition dated 21.3.41.

The petitioner requests restoration of the gun licence cancelled by the A.M., South Kanara. The licence has been cancelled in the interests of public safety under sec 18(a) of the Indian Arms Act. The Arms Act or rules thereunder do not provide for an appeal against the order of the D.M. cancelling a licence under sec. 18(a) of the Arms Act. Such cases are however disposed of by Govt. vide Govt. noted in the margin.

p.1 a 2, p.3 C.F.

A' on p.1 C.F. cf. H 3 and 7 of (J) (Lr. to (R) Stn. dt 6.5.41)

p.5 of the Arms Act and rules.

G.O. 1129, Home, dt 5.3.41 (D)
" 4497 " 8.11.40 (F)
" 3121 " 25.7.40 (H)
" 6376 " 11.12.39 (W)

2. The A.M. has rejected the restoration petition addressed to him and in done so. he has consulted the Jahsildar Mangalore as prayed for in para 12 of the memorial. The D.M. needs therefore be consulted. The petitioner may be informed that no appeal lies against the orders of the D.M. and that Govt. will not interfere. Draft submitted.

p.4 C.F.

'A' on p.4 C.F.

p.3 C.F.

cf G.O 3121, Home 25.7.40 – p.1 of (H)

AS 25/4.
KG 28/4

Get the D.I's remarks.

28/4

CRO 97 + 21 - Order Book.

Draft submitted

KD/3/5

ASSISTANT SECRETARY TO GOVT. * HOME DEPARTMENT * 6 - MAY. 1941

(Issued as memo No. 9748B-2 dy 6.5.41) p 9 CF

From the D.M, South Kanara, M.L. No 1532/41 dy 24.5.41. p 10 CF

Please see report from the D.M. South Kanara on p. 10 CF. The licence has been cancelled because it was reported by the Police / that the petitioner was a rowdy and a dangerous man. The Tahsildar has also reported that the police report was fairly correct. Please see in this connection paras 3 and 12 of the petition on pp. 1 and 3 CF. No appeal lies also / lies against an order of the D.M. cancelling a licence in the interests of public safety - Vide sec 18(2) of the Arms Act. para 4, p 10 CF

p 5 of the Arms Act and Rules.

2. The petitioner may be informed that no appeal lies against the order of the D.M. and that Govt will not interfere. Draft submitted.

19 of Govt 3121, 14.x. 25.7.40

p. 19 of (H)

AS 5/6.

KD 5/6

5/6 5. 8.661.

ASSISTANT SECRETARY TO GOVT. * 10. JUN. 1941

C.F. 16.

DRAFT FOR APPROVAL.

Home Dept.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Arms Act - South Kanara - Gun licence - B. Takri Beary. Cancellation - Petition - Rejected

READ AGAIN ....., dated ..... 19 .....

" " ..... " ..... 19 .....

READ *ALSO* :—

p) CfC. No. 9748B From the B. Takri Beary, No. petition dated 21.3.1941.

" ..... " ..... " ..... " ..... 19 .....

" ..... " ..... " ..... " ..... 19 .....

Order ~~Resolution~~ No. 2728, dated 10.6. 19 41

para 1 on page 10 Cf

p. 5 of the Arms Act and rules

The Govt. observe that petitioner's licence was cancelled by the D.M. with reference to sub-para (a) in section 14 of the Arms Act, 1878. No appeal lies against such orders of the D.M. and the Govt. will not interfere in the matter.

Dpd by ..... Passenger

Dated 10.6.41

Ans 5.6. 8.6.41

VD 5/6

To B. Takri Beary, Landholder and coffee planter, Baype P.O. Mangalore taluk.

(W.r.t his petition dt 21.3.41, with copy of Pt 7-8 CF in original retaining copy for file)

Copy to the Board of Rev

" D.M. South Kanara